

Message Text

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FROM RUBIN FOR L/ARA

E.O. 11652: N/A

TAGS: PFOR, IAJC, OAS, XM

SUBJECT: INTER-AMERICAN JURIDICAL COMMITTEE

1. MEETINGS IAJC PROCEEDING NORMALLY WITH TRANSNATIONAL CORPORATIONS (TNCS) AT HEAD OF AGENDA. DISCUSSION OF JULY 22 CONCERNED PAPER SUBMITTED BY MEXICAN MEMBER, BUT WENT ON TO CONSIDER IMPACT OF OAS PERMANENT COUNCIL RESOLUTION OF JULY 10 CONCERNING CONDUCT OF TRANSNATIONAL ENTERPRISES.

2. FOLLOWING POINTS OF INTEREST: A) SEVERAL MEMBERS OF JURIDICAL COMMITTEE EXPRESSED MINGLED DISTRESS AND BEWILDERMENT AT CREATION BY OAS PERMANENT COUNCIL OF NEW GROUP OF EXPERTS TO DRAFT CODE OF CONDUCT, SINCE JURIDICAL COMMITTEE CONSIDERS THAT TO BE PART OF ITS PRESENT STUDY OF MULTINATIONAL COMMERCIAL ENTERPRISES. SECRETARIAT OF OAS (ZANOTTI) EXPLAINED THAT SUBJECT IS CONSIDERED IN COUNCIL TO HAVE NONLEGAL IMPLICATIONS, BUT JURIDICAL COMMITTEE WILL PROBABLY HAVE INFORMAL SESSION LATER TO DISCUSS WHAT ITS RELATION IS OR SHOULD BE TO THIS NEW EFFORT; B) RUIZ ELDREDGE (PERU) EXPRESSED SATISFACTION THAT FOR FIRST TIME, AS HE SAW IT, UNITED STATES HAD CONCURRED IN A RESOLUTION (UNDER PARA. BEGINNING WITH "DECLARES") STATING UNEQUIVOCALLY THAT TRANSNATIONALS WERE SUBJECT TO LOCAL LAW AND LOCAL COURTS. VARGAS CARRENO (CHILE) SAID HE THOUGHT THIS

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MEANT ONLY THAT LOCAL REMEDIES HAD TO BE EXHAUSTED,

AND NO REPEAT NO CHANGE IN TRADITIONAL US POSITION.
I STATED THAT ALTHOUGH NOT REPEAT NOT AUTHORIZED TO
SPEAK FOR USG IN THIS FORUM I FELT THAT USG ADHERED
TO TRADITIONAL POSITION THAT INTERNATIONAL LAW WAS
APPLICABLE, AND THAT THIS POSITION WAS SO CLEAR AND
HAD BEEN SO OFTEN REITERATED THAT IT DID NOT NEED
TO BE RESTATED EVERY TIME APPLICABILITY OF NATIONAL
LAW WAS MENTIONED; C) JURIDICAL COMMITTEE HOPES
ARRIVE AT SOME CLEARER STATEMENT ITS OBJECTIVES IN
CURRENT STUDY OF MULTINATIONALS PRIOR CONCLUSION THIS
SESSION. OTHER ASPECTS AGENDA PROBABLY LARGELY
NONCONTROVERSIAL, EXCEPT POSSIBLY FURTHER ELABORATION
PREVIOUS WORK ON "CASES OF VIOLATION OF PRINCIPLE
OF NONINTERVENTION" WHERE FURTHER WORK NOT REPEAT NOT
CLEARLY OUTLINED.
DEXTER

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